

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
No. 1:19-CV-272-LCB-LPA

MAXWELL KADEL, JASON FLECK,
CONNOR THONEN-FLECK, by his next
friends and parents, JASON FLECK AND
ALEXIS THONEN, JULIA MCKEOWN,
MICHAEL D. BUNTING, JR., C.B., by
his next friends and parents, MICHAEL
D. BUNTING, JR. and SHELLEY K.
BUNTING, and SAM SILVAINE,

Plaintiffs,

v.

DALE FOLWELL, in his official capacity
as State Treasurer of North Carolina, DEE
JONES, in her official capacity as
Executive Administrator of the North
Carolina State Health Plan for Teachers
and State Employees, UNIVERSITY OF
NORTH CAROLINA AT CHAPEL
HILL, NORTH CAROLINA STATE
UNIVERSITY, UNIVERSITY OF
NORTH CAROLINA AT
GREENSBORO, and NORTH
CAROLINA STATE HEALTH PLAN
FOR TEACHERS AND STATE
EMPLOYEES,

Defendants.

MOTION FOR EXTENSION OF TIME

PURSUANT to Fed. R. Civ. P. 6(b), Defendants University of North Carolina at Chapel Hill, North Carolina State University, and University of North Carolina at Greensboro (hereinafter “University Defendants”) hereby request an extension of time in

which to serve an answer or other response to Plaintiffs' Complaint. In support of this motion, University Defendants show the following:

1. On March 11, 2019, Plaintiffs filed their Complaint in the United States District Court, Middle District of North Carolina.

2. On March 14, 2019, Plaintiffs served waivers of service of summons upon University Defendants.

3. University Defendants returned the executed waiver of service forms. Their answers or other responsive pleadings are currently due on May 13, 2019, which has not passed.

4. Due to other pressing matters and responsibilities, the undersigned needs additional time to continue to consult with her client and complete a response. An allowance of additional time will enable University Defendants and counsel to more accurately respond to Plaintiffs' claims and better preserve University Defendants' rights and interests.

5. University Defendants do not seek an extension for any improper purpose.

6. Counsel for University Defendants is requesting an additional thirty (30) days to confer with her clients and adequately prepare a responsive pleading.

7. Undersigned counsel has consulted with Plaintiffs' counsel. Plaintiffs' counsel has indicated no objection to the requested thirty day extension of time.

WHEREFORE, University Defendants request that the Court extend the deadline for serving its answer or other responsive pleading up to and including June 12, 2019.

This the 7th day of May, 2019.

JOSHUA H. STEIN
Attorney General

/s/Catherine F. Jordan
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*Attorneys for Defendants University of North
Carolina at Chapel Hill, North Carolina State
University, and University of North Carolina at
Greensboro*

CERTIFICATE OF SERVICE

I certify that the foregoing **MOTION FOR EXTENSION OF TIME** was filed electronically with the Clerk of Court using the CM/ECF system which will send notification of such filing to all registered users.

This the 7th day of May, 2019.

/s/Catherine F. Jordan

Catherine F. Jordan

Special Deputy Attorney General